

**DISABILITY RIGHTS NEW MEXICO
POSITION STATEMENTS ON LEGISLATIVE ISSUES 2011**
January 14, 2011

Appropriations and Budget Issues

DRNM supports funding requests for disability service programs that would provide services to those on waiting lists or who are otherwise un-served, or would improve or expand services to those already in the service system. DRNM opposes reductions in funding to disability programs that would result in reductions in services or eligibility criteria, or provider rate cuts that would diminish quality or choice of providers, and will attempt to minimize such reductions.

DRNM supports efforts to increase state revenues in order to avoid relying on spending cuts as the only or primary method of balancing the state budget. Examples of such revenue measures include rolling back upper income tax cuts, combined reporting of business income for chain stores headquartered in other states, or taxes on internet sales. Any new revenues should be used to reduce waiting lists for Medicaid waiver programs or reduce or eliminate budget cuts affecting programs that benefit persons with disabilities.

Government Re-Structuring

DRNM is generally neutral with respect to the specific location within state government of service programs for persons with disabilities, so it takes no general position with respect to the potential transfer of programs from one agency to another. However, DRNM believes that any restructuring proposal must assure that a program to be transferred has an adequate number of experienced staff to assure program effectiveness and accountability, and would be supported by the receiving agency. In order to promote the independent role of contract guardians for adults with disabilities, DRNM would oppose any transfer of the Office of Guardianship to a state agency administering other direct service programs for such adults, such as DOH, HSD, or ALTSD.

Self-Determination

DRNM supports legislation that increases consumer control over health care and other decisions affecting the consumer, and that support the ability of persons with disabilities to choose the setting in which they receive services and the persons who might be involved in making substitute decisions for them. DRNM opposes legislation that encourages or expands involuntary treatment (e.g. outpatient commitment) or that empowers guardians to make decisions on issues not within the scope of their guardianship orders.

Health Care

DRNM supports full funding for the Medicaid program, recognizing the vital role that Medicaid plays in supporting health care as well as long term services and supports for persons with disabilities. DRNM opposes reductions in benefits or eligibility criteria, or reductions in payment rates for providers in the Medicaid program that would diminish quality or choice of providers. DRNM supports efforts to improve the design of the state's managed long term care program.

Education

DRNM supports efforts to reduce or eliminate the use of seclusion or restraints in schools, and similarly supports efforts to reduce or eliminate corporal punishment in schools. DRNM neither supports nor opposes proposed changes to the public school funding formula but supports efforts to assure accountability and responsibility for the provision of services by school districts and adequate oversight and compliance efforts by the Public Education Department.

Civil Rights and Equal Opportunity

DRNM supports legislation that protects or expands the civil rights of persons with disabilities, and opposes legislation that would limit the rights of persons with disabilities. DRNM supports legal recognition for domestic partners, particularly since marriage can have negative financial consequences for persons with disabilities who receive certain public benefits.